

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Volha Shauchenka	Team: Squad #8	CCRB Case #: 201806397	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 08/04/2018 10:00 PM	Location of Incident: In front § 87(2)(b)	Precinct: 48	18 Mo. SOL 2/4/2020	EO SOL 2/4/2020	
Date/Time CV Reported Mon, 08/06/2018 1:27 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 08/06/2018 1:27 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Saquoi Harris	02350	961806	048 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Saquoi Harris	Off. Language: Police Officer Saquoi Harris made remarks to § 87(2)(b) based upon the perceived sexual orientation of § 87(2)(b)	
B.POM Saquoi Harris	Discourtesy: Police Officer Saquoi Harris spoke discourteously to § 87(2)(b)	

Case Summary

On August 6, 2018, § 87(2)(b) filed this complaint via the CCRB online complaint submission form.

On August 4, 2018, at approximately 10:00 p.m., in the vicinity of § 87(2)(b) § in the Bronx, PO Saquai Harris of the 48th Precinct allegedly called § 87(2)(b) a “faggot” and used various profanity towards him involving the word “fuck” (**Allegation A: Offensive Language,** § 87(2)(g) **Allegation B: Discourtesy,** § 87(2)(g)

There is no video recording of this incident.

Findings and Recommendations

Allegation (A) Offensive Language: Police Officer Saquai Harris made remarks to § 87(2)(b) based upon the perceived sexual orientation of § 87(2)(b)

Allegation (B) Discourtesy: Police Officer Saquai Harris spoke discourteously to § 87(2)(b)

During his in-person interview at the CCRB, § 87(2)(b) stated he was sitting alone in his double-parked vehicle in front of his house at § 87(2)(b) § in the Bronx [BR 03]. § 87(2)(b) noticed a marked police vehicle driving against traffic along East 179th Street towards him. § 87(2)(b) heard an officer say his name through the loudspeaker and although he could not see who was in the car at the time, he believed it was PO Harris with whom he had previously interacted and against who he filed a CCRB complaint. As the police vehicle got closer, § 87(2)(b) § 87(2)(b) heard in the loudspeaker, § 87(2)(b) “you’re a faggot.” When the police vehicle reached § 87(2)(b) §, it stopped next to his driver side window, which had been rolled down. PO Harris was sitting on the passenger side and his partner, described as a male with dark skin, 170 pounds with black hair and wearing glasses, was the driver. § 87(2)(b) did not see if either of the officers were holding a microphone to the loudspeaker. PO Harris told § 87(2)(b) in person, § 87(2)(b) “you pushing papers through? You’re a faggot.” § 87(2)(b) believed PO Harris was referencing his previous complaint against PO Harris. § 87(2)(b) told PO Harris not to “fuck” with him, and PO Harris stated that he had everything recorded on camera and he was going to be alright. The officers drove away without issuing § 87(2)(b) any summonses. § 87(2)(b) § 87(2)(b) was inconsistent in his allegations about the type of statements PO Harris made to him in his initial complaint form [BR 01]. § 87(2)(b) stated that he observed PO Harris hold the microphone and that PO Harris also called him a “motherfucker” and a “nigga.” IAB spin-off § 87(2)(b) was generated in regards to § 87(2)(b) § allegation of retaliation.

In her verified statement to the CCRB, § 87(2)(b) § 87(2)(b) s mother, § 87(2)(b) § stated that she happened to walk towards their house when the incident took place [BR 04]. Her account of the incident was consistent with § 87(2)(b) § apart from the fact that she stated that PO Harris was talking to § 87(2)(b) § through the loud speaker the entire time. She also alleged that PO Harris used multiple profanities in his conversation with § 87(2)(b) § such as “fucking,” “punk motherfucker,” and “fuck.”

§ 87(2)(g)
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§ 87(2)(g)

In her unverified phone statement to the CCRB, § 87(2)(b) who resides in the neighborhood and whose phone number was provided by § 87(2)(b) stated that she was coming from a store and stopped at the corner of East 179th Street and Bryan Avenue when she observed § 87(2)(b) in his parked car in a company of two or three other individuals [BR 06]. § 87(2)(b) observed a marked police vehicle driving the wrong way along East 179th Street. When the car stopped by § 87(2)(b) heard an officer call § 87(2)(b) “gay” and a “cocksucker” though the loudspeaker.

In her unverified phone statement to the CCRB, § 87(2)(b) who also resides in the neighborhood and whose phone number was provided by § 87(2)(b) stated that she was coming from a store along East 179th Street as well when she observed the incident [BR 07]. She noted that § 87(2)(b) was standing in front of his building with a group of individuals and was not certain if officers were inside or outside their vehicle. She heard an officer call § 87(2)(b) by name and say that he was a “faggot” and a “bitch.” The officer’s voice sounded very loud, which made § 87(2)(b) conclude that he might have been using a loudspeaker.

In his testimony to the CCRB, PO Harris confirmed that he was working the night tour with his steady partner PO Mark Ricketts on August 4, 2018 [BR 08]. He acknowledged that he knows § 87(2)(b) from patrolling the neighborhood since he resides within PO Harris’ steady sector D [BR 08]. PO Harris stated he also knew § 87(2)(b)’s address and what car he drives. On multiple occasions during the summer of 2018, § 87(2)(b) cursed at PO Harris on the street. PO Harris denied having any interaction with § 87(2)(b) on the day of the incident and calling him a “faggot” or discussing the fact that he had filed a complaint against him. PO Harris did not recall if he was in the vicinity of § 87(2)(b)’s building on that day. He also checked through his body worn camera (BWC) recordings for that day and stated that none of them depicted any interaction with § 87(2)(b).

PO Harris was convinced that the incident in question took place on October 3, 2018 because that was the only incident when he interacted with § 87(2)(b) in front of his house. PO Harris provided a narrative about his encounter with § 87(2)(b) on October 3, 2018, stating that he was stationed in front of § 87(2)(b)’s house together with PO Karen Diazrodriguez, PO Andrew Olive and PO Steven Perez, all of the same command, because of a shooting. PO Harris observed § 87(2)(b) walking towards him, activated his BWC and asked his partner PO Diazrodriguez to do the same. § 87(2)(b) approached him and told him, “Suck my dick.” § 87(2)(b) called PO Harris a “faggot” and a “little bitch” and threatened PO Harris that he would “fuck him up.” PO Harris did not respond to § 87(2)(b) and told PO Diazrodriguez that he would issue § 87(2)(b) a summons for disorderly conduct because he threatened him and some people started looking out the windows. § 87(2)(b) then said, “He know he did something, motherfucker, get out of here,” and headed towards the entrance to his house. PO Harris eventually decided not to issue § 87(2)(b) a summons because he was afraid that § 87(2)(b) would file another complaint against him if he encountered him again. PO Harris stated he was “jammed up” if he did, and “jammed up” if he did not issue § 87(2)(b) a summons. § 87(2)(b) went home.

PO Harris showed two BWC recordings of the incident that took place on October 3, 2018. The first video did not depict § 87(2)(b) use any profanity towards PO Harris. PO Harris explained that § 87(2)(b) made the alleged statements during the 30-second buffer. During the second video, PO Harris told his partner PO Diazrodriguez that he would issue § 87(2)(b) a disorderly conduct summons. PO Diazrodriguez asked PO Harris if he was “serious” and why he wanted to issue him a summons. PO Harris replied that § 87(2)(b) had threatened him. Several

officers approached § 87(2)(b) who was standing by the entrance to his home but his statements are inaudible. At some point, however, he was heard saying that PO Harris is constantly harassing him. Eventually, PO Harris told the officers to leave § 87(2)(b) alone and to let him talk since PO Harris was recording the incident. PO Diazrodriguez then stated that § 87(2)(b) was childish, reckless and was simply looking for PO Harris “to do something.” PO Harris replied that was why he was recording the incident.

Off-the record, PO Harris stated that § 87(2)(b) was trying to hurt his career and all his previous CCRB complaints were filed by § 87(2)(b). He also inquired if all his CCRB complaints can be closed as complainant uncooperative.

In his testimony to the CCRB, PO Ricketts confirmed he was working with PO Harris on August 4, 2018 [BR 09]. He made an arrest at 6:17 p.m. and was processing it at the stationhouse until 9:20 p.m., when he transported the prisoner to Central Booking. PO Ricketts did not recall where PO Harris was during that time and denied driving by the incident location at its alleged time of occurrence. PO Ricketts did not recall who PO Harris was working with if he changed partners.

According to Tour 3 Roll Call for August 4, 2018, PO Harris was working with PO Ricketts and they were assigned to sector D [NYPD 01]. No other partners are listed for PO Harris.

PO Harris’ memo book was stolen along with his personal car, therefore, he did not provide his memo book entries for the day [NYPD 01]. IAB log #§ 87(2)(b) was generated and complaint report § 87(2)(b) was provided [NYPD 01].

According to Tour 3 Resource Recap Log for the incident date, PO Harris and PO Ricketts responded to the Event that resulted in the above-mentioned arrest at 6:17 p.m. [BR 06] After that, they were assigned calls at 6:44 p.m., 9:02 p.m., 9:19 p.m., 9:25 p.m., 9:46 p.m., and 10:55 p.m. Most of the assignments were located within blocks from § 87(2)(b) and were closed at 6:44 p.m., 9:02 p.m., 9:12 p.m., 11:19 p.m., 9:32 p.m., 9:42 p.m., and 11:01 p.m. The last call was located within a 10-minute drive from the incident location.

NYPD Events Summary for the incident date yielded Event #D19080427395, generated at 10:39 p.m. at § 87(2)(b) in regards to an ambulance case [NYPD 05]. The call was handled by Unit 48RES4-3, to which PO Harris was not assigned.

Although PO Harris and PO Ricketts were assigned BWCs on August 4, 2018, request for video footage of the incident was returned with negative results [NYPD 15].

According to NYPD records, PO Ricketts does not wear glasses [NYPD 14].

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one additional CCRB complaint and has been named as a victim in five allegations [BR 13]:
 - § 87(2)(b)
- PO Harris has been member of service for two years and has been a subject in five other CCRB complaints and 18 allegations, none of which were substantiated. 201803396 involves two discourtesy allegations pleaded against PO Harris that were closed as complainant unavailable.

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was unsuitable for mediation.
- On December 24, 2018, a request to determine if a Notice of Claim was filed was submitted; confirmation from the New York City Office of the Comptroller will be forwarded upon receipt [BR 12].

§ 87(2)(b) § 87(2)(c)

Squad No.: 8

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date